

Permittee **Name:** GATX CORPORATION
Address: 222 West Adams St., 5th Floor
City, State, ZIP Code: Chicago, IL 60606-5312

Permit Information **Permit No:** 112
SIC Code: NA
Expiration Date: October 2, 2021

Permittee Contact **Name:** Martin Hamper
Title: Project Manager, Roux Associates
Phone: 630-572-3300

Source Location **Address:** 4245 Railroad Avenue
City, State, ZIP Code: East Chicago, IN 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 112

Issued to

GATX CORPORATION
4245 Railroad Avenue
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: October 21, 2021

A handwritten signature in cursive script, reading "Zehraoui", is written over a horizontal line.

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 7, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 112

Issued to

GATX CORPORATION

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

GATX CORPORATION
4245 Railroad Avenue
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Groundwater pumped from extraction wells and treated by the designed remediation wastewater pre-treatment system consisting of oil water separation, bag filtration, zeolite adsorption and carbon adsorption
- ii) Wastewater generated from operation and maintenance activities and treated by the pre-treatment system

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 112.**

The sampling location is the sample and totalizer calibration port located downstream of the flow totalizer prior to discharge to the sanitary collection system.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter</u> ^[1] | <u>Daily Maximum (mg/L)</u> |
|--|------------------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|-------------------------|-----------------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 112 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Ammonia (mg/L) | 112 | ≥1/quarter | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 112 | ≥1/quarter | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 112 | ≥1/quarter | 625 | 24-hr composite |
| COD (mg/L) | 112 | ≥1/quarter | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 112 | ≥1/quarter | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 112 | ≥1/quarter | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 112 | ≥1/quarter | OIA-1677 | grab |
| Fluoride (mg/L) | 112 | ≥1/quarter | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 112 | ≥1/quarter | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 112 | ≥1/quarter | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 112 | ≥1/quarter | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 112 | ≥1/quarter | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 112 | ≥1/quarter | 1664 | grab |
| pH (s.u.) | 112 | ≥1/quarter | 150.2 | grab |
| Phenols (mg/L) | 112 | ≥1/quarter | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 112 | ≥1/quarter | 4500-P-B | 24-hr composite |
| TSS (mg/L) | 112 | ≥1/quarter | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 112 | ≥1/quarter | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 112 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|--------------------|
| Flow | 112 | ≥1/month | Continuous |
| Ammonia (mg/L) | 112 | ≥1/quarter | Continuous |
| Arsenic (mg/L) ^[1] | 112 | ≥1/quarter | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 112 | ≥1/quarter | 24-hr composite |
| COD (mg/L) | 112 | ≥1/quarter | 24-hr composite |
| Chromium (mg/L) ^[1] | 112 | ≥1/quarter | 24-hr composite |
| Copper (mg/L) ^[1] | 112 | ≥1/quarter | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 112 | ≥1/quarter | 24-hr composite |
| Fluoride (mg/L) | 112 | ≥1/quarter | grab |
| Lead (mg/L) ^[1] | 112 | ≥1/quarter | 24-hr composite |
| Mercury (mg/L) ^[1] | 112 | ≥1/quarter | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 112 | ≥1/quarter | 24-hr composite |
| Nickel (mg/L) ^[1] | 112 | ≥1/quarter | 24-hr composite |
| Oil & Grease (mg/L) | 112 | ≥1/quarter | 24-hr composite |
| pH (s.u.) | 112 | ≥1/quarter | grab |
| Phenols (mg/L) | 112 | ≥1/quarter | grab |
| Phosphorous (mg/L) | 112 | ≥1/quarter | 24-hr composite |
| TSS (mg/L) | 112 | ≥1/quarter | 24-hr composite |
| Zinc (mg/L) ^[1] | 112 | ≥1/quarter | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 112 each month.

Reports are due on or before the 10th of each month. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that annual calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than one time per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;
2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment.

The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from

which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18 U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the

District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** ELECTRIC COATING TECHNOLOGIES, LLC D/B/A/
MATERIAL SCIENCES CORPORATION
Address: 4407 Railroad Avenue
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 312
SIC Code: 3313
Expiration Date: July 14, 2023

Permittee Contact **Name:** Kenneth Paxson
Title: Assurance Quality Manager
Phone: 219-378-1930 Ext 111

Source Location **Address:** 4407 Railroad Avenue
City, State, ZIP Code: East Chicago, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



**EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 312**

Issued to

**ELECTRIC COATING TECHNOLOGIES, LLC
D/B/A/ MATERIAL SCIENCES CORPORATION
4407 Railroad Avenue
East Chicago, IN**

Effective Date: November 15, 2018

Expiration Date: July 14, 2023

**Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019**

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 312

Issued to

ELECTRIC COATING TECHNOLOGIES, LLC D/B/A/ MATERIAL SCIENCES CORPORATION

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

ELECTRIC COATING TECHNOLOGIES, LLC d/b/a/ Material Sciences Corporation
4407 Railroad Avenue
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Cooling tower blow down
- iii) Boiler water blow down
- iv) Three processes treated in the pretreatment system;
 - a. Metals from plating and chemical treatment sections
 - b. Oily mixture from pretreatment cleaning and plating sections
 - c. Metals and phosphate from post treatment section
 - d. Water softener spent recharge water

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 312.**

The monitoring facility is located inside of the facility after the wastewater treatment process.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

PROCESS DESCRIPTION

Electric Coating Technology electro-galvanizes steel coils and is considered a new source under the Metal Finishing Category on 40 CFR 433. Approximately 30,000 gallons per day (gpd) of process rinse waters, non-contact cooling water, boiler blowdown, and sanitary are discharged continuously to the District's POTW. The pollutants expected in the discharge are metals, sulfate, total dissolved solids (TDS), oil and grease, chloroform, methylene chloride, and naphthalene.

EFFLUENT LIMITATIONS

A. CATEGORICAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following National Categorical Pretreatment Standards as established by 40 CFR Part 433 Metal Finishing point source category.

CATEGORICAL LIMITATIONS 40 CFR Part 433.17^[1]

| PARAMETER | DAILY MAXIMUM LIMIT (mg/L) | MAXIMUM MONTHLY AVERAGE (mg/L) |
|----------------------|-------------------------------|-----------------------------------|
| Cadmium | 0.11 | 0.07 |
| Chromium | 2.77 | 1.71 |
| Copper | 3.38 | 2.07 |
| Lead | 0.69 | 0.43 |
| Nickel | 3.98 | 2.38 |
| Silver | 0.43 | 0.24 |
| Zinc | 2.61 | 1.48 |
| Available Cyanide | 0.86 | 0.32 |
| Total Toxic Organics | 2.13 ^[2] | --- |

^[1] For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply.

^[2] The summation of methylene chloride, chloroform and naphthalene shall not exceed 2.13 mg/L

This specific list of contaminants shall not relieve the permittee of its responsibility to comply with all other specific pollutants as listed in the Ordinance 13.13.3.02.3. The district requires complete compliance with the Sewer User Ordinance and compliance with all local limitations

B. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| Parameter ^[1] | Daily Maximum (mg/L) |
|--------------------------|----------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |

| | |
|-----------------------------|-----------|
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

C. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

D. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

- Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.
- Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
- Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the

POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.

4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.
13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

E. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

A. SAMPLING PROCEDURES

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

B. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 312 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| Sample Parameter (units) | Measurement Location | Frequency | Method | Sample Type |
|--|----------------------|--------------|---------------------------|------------------------------|
| COD (mg/L) | 312 | ≤1/ month | EPA 410.4 | 24-hr composite ¹ |
| TSS (mg/L) | 312 | ≤1/ month | SM 2540 D | 24-hr composite |
| Cadmium (mg/L) ² | 312 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Chromium (mg/L) ² | 312 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Copper (mg/L) ² | 312 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Cyanide, Available (mg/L) ³ | 312 | ≤1/ month | EPA OIA-1677 | grab |
| Lead (mg/L) ² | 312 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Mercury (mg/L) ² | 312 | ≤1/ month | EPA 245.1 | 24-hr composite |
| Molybdenum (mg/L) ² | 312 | ≤1/ month | EPA 245.1 | 24-hr composite |
| Nickel (mg/L) ² | 312 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Silver (mg/L) ² | 312 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Zinc (mg/L) ² | 312 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) phthalate (mg/L) | 312 | ≤1 month | EPA 625 | 24-hr composite |
| Oil & Grease (HEM) (mg/L) | 312 | ≤1/ month | EPA 1664B | grab |
| Fluoride (mg/L) | 312 | ≤1/ month | SM 4500-F C | 24-hr composite |
| Phenols | 312 | ≤1 months | EPA 420.1 | 24-hr composite |
| COD | 312 | ≤1/ month | SM 5220 B | 24-hr composite |
| Ammonia (mg/L) | 312 | ≤1/ month | SM 4500-NH ₃ F | 24-hr composite |
| Phosphorous (mg/L) | 312 | ≤1/ month | SM 4500-P B | 24-hr composite |
| TTO ^[1] | 312 | ≤1/ 6 months | 6224/625 | 24-hr composite |
| pH (s.u.) | 312 | ≤1/ month | EPA 150.2 | grab |
| Temperature | 312 | ≤1/ month | --- | grab |

^[1] TTO – includes methylene chloride, chloroform and naphthalene

C. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the Permittee will monitor outfall 312 at the following frequency for the following parameters:

| Sample Parameter (units) | Measurement Location | Frequency | Method | Sample Type |
|--------------------------|----------------------|--------------|-----------|------------------------------|
| COD (mg/L) | 312 | ≤1/ 6 months | EPA 410.4 | 24-hr composite ² |
| TSS (mg/L) | 312 | ≤1/ 6 months | SM 2540 D | 24-hr composite |

¹ All composite samples shall be time proportional samples

² All composite samples shall be time proportional samples

| | | | | |
|--|-----|--------------|---------------------------|-----------------|
| Cadmium (mg/L) ² | 312 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Chromium (mg/L) ² | 312 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Copper (mg/L) ² | 312 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Cyanide, Available (mg/L) ³ | 312 | ≤1/ 6 months | EPA OIA-1677 | grab |
| Lead (mg/L) ² | 312 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Mercury (mg/L) ² | 312 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Molybdenum (mg/L) ² | 312 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Nickel (mg/L) ² | 312 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Silver (mg/L) ² | 312 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Zinc (mg/L) ² | 312 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) phthalate (mg/L) | 312 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Oil & Grease (HEM) (mg/L) | 312 | ≤1/ 6 months | EPA 1664B | grab |
| Fluoride (mg/L) | 312 | ≤1/ 6 months | SM 4500-F C | 24-hr composite |
| Phenols (mg/L) | 312 | ≤1/ 6 months | EPA 420.1 | 24-hr composite |
| COD | 312 | ≤1/ 6 months | SM 5220 B | 24-hr composite |
| Ammonia (mg/L) | 312 | ≤1/ 6 months | SM 4500-NH ₃ F | 24-hr composite |
| Phosphorous (mg/L) | 312 | ≤1/ 6 months | SM 4500-P B | 24-hr composite |
| TTO ^[1] | 312 | ≤1/ 6 months | 6224/625 | 24-hr composite |
| pH (s.u.) | 312 | ≤1/ 6 months | EPA 150.2 | grab |
| Temperature | 312 | ≤1/ 6 months | --- | grab |

^[1] TTO – includes methylene chloride, chloroform and naphthalene

For the effective period of the permit, the User will also monitor outfall 312 at the following frequency for the discharge flow volume.

| Sample Parameter (units) | Measurement Location | Frequency | Sample Type |
|--------------------------|----------------------|-----------|-------------|
| Flow | 312 | ≤1/ month | Continuous |

D. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 312 each month. Reports are due on or before the 10th of each month. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee no less than one time per year. The permittee shall submit to the District by April 10th of each year a report verifying calibration and maintenance of said measuring and recording equipment.

C. SELF-MONITORING REPORTS

All self-monitoring data shall be reported to the District in an agreed upon Electronic Data Deliverable (EDD) format. The permittee is required to submit to the District all data obtained through any self-monitoring of a discharge conducted in accordance with Title 40 CFR part 136. This data must be submitted within thirty (30) days of sampling.

Reports for parameters with a once per month (1/month) monitoring frequency must be submitted within 10 days after each calendar month.

Reports for parameters with a once per quarter (1/quarter) monitoring frequency must be submitted within 10 days after each reporting period. The reporting periods are January-March, April-June, July-September, and October-December. The first quarterly report is due no later than April 10th, 2019.

Reports for parameters with a once per six months (1/6 months) frequency must be submitted within 10 days after each reporting period. The reporting periods are January-June, and July- December. The first 1/6 month report is due July 10th, 2019.

All monitoring reports must indicate the nature and concentration of all pollutants in the effluent for which sampling and analysis were performed during the reporting period preceding the submission of each report, including measured maximum and average daily flows.

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by the U.S. Environmental Protection Agency (EPA) or as specified in this permit, the results of such monitoring must be included in any calculations of actual daily maximum or monthly average pollutant discharge, and results must be reported in the monthly report submitted to the District.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;
2. the date and time of the discharge;
3. the type of waste discharged

4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has

performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;

- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such

laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATIONS AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

- (i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

- (ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18 U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 401

Issued to

W.R. GRACE & CO. - CONN.
5215 Kennedy Avenue
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: August 31, 2021

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 401

Issued to

W.R. GRACE & CO. - CONN.

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

W.R. GRACE & CO. - CONN.
5215 Kennedy Avenue
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Process water from silicate, and Ludox ® production

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 401.**

The sampling location is in a small building on the northeast of the property.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 401 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 401 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 401 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 401 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 401 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 401 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 401 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 401 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 401 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 401 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 401 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 401 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 401 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 401 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 401 | ≥1/month | 1664 | grab |
| pH (s.u.) | 401 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 401 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 401 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 401 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 401 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 401 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 401 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 401 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 401 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

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Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

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5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 411

Issued to
E
USS LEAD REFINERY, INC.
5300 Kennedy Avenue
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: October 10, 2022

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 7, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 411

Issued to

USS LEAD REFINERY, INC.

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

USS LEAD REFINERY, INC.
5300 Kennedy Avenue
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Groundwater pumped from the CAMU at the USS Lead reclamation site to maintain hydraulic gradient and prevent off-site migration of contaminants from the landfill containment

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 411**.

The sampling location is a manhole located at the northwest corner of the property which all extraction wells pump to.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|---------------------------------------|------------------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|-------------------------|-----------------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 411 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Ammonia (mg/L) | 411 | ≥1/6 months | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 411 | ≥1/6 months | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 411 | ≥1/6 months | 625 | 24-hr composite |
| COD (mg/L) | 411 | ≥1/6 months | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 411 | ≥1/6 months | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 411 | ≥1/6 months | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 411 | ≥1/6 months | OIA-1677 | grab |
| Fluoride (mg/L) | 411 | ≥1/6 months | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 411 | ≥1/6 months | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 411 | ≥1/6 months | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 411 | ≥1/6 months | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 411 | ≥1/6 months | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 411 | ≥1/6 months | 1664 | grab |
| pH (s.u.) | 411 | ≥1/6 months | 150.2 | grab |
| Phenols (mg/L) | 411 | ≥1/6 months | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 411 | ≥1/6 months | 4500-P-B | 24-hr composite |
| TSS (mg/L) | 411 | ≥1/6 months | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 411 | ≥1/6 months | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 411 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|--------------------|
| Flow | 411 | ≥1/month | Continuous |
| Ammonia (mg/L) | 411 | ≥1/quarter | Continuous |
| Arsenic (mg/L) ^[1] | 411 | ≥1/quarter | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 411 | ≥1/quarter | 24-hr composite |
| COD (mg/L) | 411 | ≥1/quarter | 24-hr composite |
| Chromium (mg/L) ^[1] | 411 | ≥1/quarter | 24-hr composite |
| Copper (mg/L) ^[1] | 411 | ≥1/quarter | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 411 | ≥1/quarter | 24-hr composite |
| Fluoride (mg/L) | 411 | ≥1/quarter | grab |
| Lead (mg/L) ^[1] | 411 | ≥1/quarter | 24-hr composite |
| Mercury (mg/L) ^[1] | 411 | ≥1/quarter | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 411 | ≥1/quarter | 24-hr composite |
| Nickel (mg/L) ^[1] | 411 | ≥1/quarter | 24-hr composite |
| Oil & Grease (mg/L) | 411 | ≥1/quarter | 24-hr composite |
| pH (s.u.) | 411 | ≥1/quarter | grab |
| Phenols (mg/L) | 411 | ≥1/quarter | grab |
| Phosphorous (mg/L) | 411 | ≥1/quarter | 24-hr composite |
| TSS (mg/L) | 411 | ≥1/quarter | 24-hr composite |
| Zinc (mg/L) ^[1] | 411 | ≥1/quarter | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 411 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that annual calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than one time per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;
2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any

subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all

reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies

the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18 U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** TAC EAST, INC.
Address: 2000 Gary Road
City, State, ZIP Code: East Chicago, IN 46415

Permit Information **Permit No:** 415
SIC Code: 7699
Expiration Date: October 3, 2022

Permittee Contact **Name:** Joe Tyszko
Title: Facility Manager
Phone: 219-397-1500

Source Location **Address:** 2000 Gary Road
City, State, ZIP Code: East Chicago, 46415

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46415
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X Incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



**EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 415**

Issued to

**TAC EAST, INC.
2000 Gary Road
East Chicago, IN**

Effective Date: November 15, 2018

Expiration Date: October 3, 2022

**Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019**

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 415

Issued to

TAC EAST, INC.

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

TAC East, Inc.
2000 Gary Road
East Chicago, IN 46415

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Boiler water blow down
- iii) Wash waters from interior and exterior cleaning of tanker truck

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 415**.

The sampling location is the sink in the boiler rooms to which effluent flows into.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

PROCESS DESCRIPTION

Tac East Inc. performs interior and exterior cleaning of tanker trucks and intermodal tank containers. TAC East discharges 10,000 -70,000 gallons per day (GPD) from this regulated process. The facility also discharges approximately 400 gpd of boiler blowdown and 700 gpd of sanitary wastewater. The expected

pollutants include total dissolved solids, chemical oxygen demand, oil and grease, and suspended solids. Cyanide has also been noted in the wastestream at concentrations above our local limits.

EFFLUENT LIMITATIONS

A. CATEGORICAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following National Categorical Pretreatment Standards as established by 40 CFR Part 442 – Transportation Equipment Cleaning point source category.

CATEGORICAL LIMITATIONS 40 CFR Part 442.16^[1]

| PARAMETER | DAILY MAXIMUM LIMIT (mg/L) |
|------------------------------|----------------------------|
| Copper | 0.84 |
| Mercury | 0.0031 |
| Non-Polar Material (SGT-HEM) | 26 |

^[1] For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply.

This specific list of contaminants shall not relieve the permittee of its responsibility to comply with all other specific pollutants as listed in the Ordinance 13.13.3.02.3. The district requires complete compliance with the Sewer User Ordinance and compliance with all local limitations

B. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

^[1] For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply.

C. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

D. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.
2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).

7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.
13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

E. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

A. SAMPLING PROCEDURES

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

B. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 415 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| Sample Parameter (units) | Measurement Location | Frequency | Method | Sample Type |
|--------------------------|----------------------|-----------|--------|-------------|
|--------------------------|----------------------|-----------|--------|-------------|

| | | | | |
|--|-----|-----------|---------------------------|------------------------------|
| COD (mg/L) | 415 | ≤1/ month | EPA 410.4 | 24-hr composite ¹ |
| TSS (mg/L) | 415 | ≤1/ month | SM 2540 D | 24-hr composite |
| Arsenic (mg/L) ² | 415 | ≤1 months | EPA 200.7 | 24-hr composite |
| Chromium (mg/L) ² | 415 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Copper (mg/L) ² | 415 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Cyanide, Available (mg/L) ³ | 415 | ≤1/ month | EPA OIA-1677 | grab |
| Lead (mg/L) ² | 415 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Mercury (mg/L) ² | 415 | ≤1/ month | EPA 245.1 | 24-hr composite |
| Molybdenum (mg/L) ² | 415 | ≤1/ month | EPA 245.1 | 24-hr composite |
| Nickel (mg/L) ² | 415 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Zinc (mg/L) ² | 415 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) phthalate (mg/L) | 415 | ≤1 month | EPA 625 | 24-hr composite |
| Non-Polar Material (SGT-HEM) | 415 | ≤1 month | EPA 1664B | grab |
| Oil & Grease (HEM) (mg/L) | 415 | ≤1/ month | EPA 1664B | grab |
| Fluoride (mg/L) | 415 | ≤1/ month | SM 4500-F C | 24-hr composite |
| Phenols | 415 | ≤1 months | EPA 420.1 | 24-hr composite |
| Ammonia (mg/L) | 415 | ≤1/ month | SM 4500-NH ₃ F | 24-hr composite |
| Phosphorous (mg/L) | 415 | ≤1/ month | SM 4500-P B | 24-hr composite |
| pH (s.u.) | 415 | ≤1/ month | EPA 150.2 | grab |
| Temperature | 415 | ≤1/ month | --- | grab |

C. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the Permittee will monitor outfall 415 at the following frequency for the following parameters:

| Sample Parameter (units) | Measurement Location | Frequency | Method | Sample Type |
|--|----------------------|--------------|---------------------------|------------------------------|
| COD (mg/L) | 415 | ≤1/ 6 months | EPA 410.4 | 24-hr composite ² |
| TSS (mg/L) | 415 | ≤1/ 6 months | SM 2540 D | 24-hr composite |
| Arsenic (mg/L) ² | 415 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Chromium (mg/L) ² | 415 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Copper (mg/L) ² | 415 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Cyanide, Available (mg/L) ³ | 415 | ≤1/ 6 months | EPA OIA-1677 | grab |
| Lead (mg/L) ² | 415 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Mercury (mg/L) ² | 415 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Molybdenum (mg/L) ² | 415 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Nickel (mg/L) ² | 415 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Silver (mg/L) ² | 415 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Zinc (mg/L) ² | 415 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) phthalate (mg/L) | 415 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Non-Polar Material (SGT-HEM) | 415 | ≤1 month | EPA 1664B | grab |
| Oil & Grease (HEM) (mg/L) | 415 | ≤1/ 6 months | EPA 1664B | grab |
| Fluoride (mg/L) | 415 | ≤1/ 6 months | SM 4500-F C | 24-hr composite |
| Phenols (mg/L) | 415 | ≤1/ 6 months | EPA 420.1 | 24-hr composite |
| COD | 415 | ≤1/ 6 months | SM 5220 B | 24-hr composite |
| Ammonia (mg/L) | 415 | ≤1/ 6 months | SM 4500-NH ₃ F | 24-hr composite |

¹ All composite samples shall be time proportional samples

² All composite samples shall be time proportional samples

| | | | | |
|--------------------|-----|--------------|-------------|-----------------|
| Phosphorous (mg/L) | 415 | ≤1/ 6 months | SM 4500-P B | 24-hr composite |
| TTO ^[1] | 415 | ≤1/ 6 months | 6224/625 | 24-hr composite |
| pH (s.u.) | 415 | ≤1/ 6 months | EPA 150.2 | grab |
| Temperature | 415 | ≤1/ 6 months | --- | grab |

For the effective period of the permit, the User will also monitor outfall 415 at the following frequency for the discharge flow volume.

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 415 | ≤1/ month | Continuous |

D. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 415 each month. Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee no less than one time per year. The permittee shall submit to the District by April 10th of each year a report verifying calibration and maintenance of said measuring and recording equipment.

C. SELF-MONITORING REPORTS

All self-monitoring data shall be reported to the District in an agreed upon Electronic Data Deliverable (EDD) format. The permittee is required to submit to the District all data obtained through any self-monitoring of a discharge conducted in accordance with Title 40 CFR part 136. This data must be submitted within thirty (30) days of sampling.

Reports for parameters with a once per month (1/month) monitoring frequency must be submitted within 10 days after each calendar month.

Reports for parameters with a once per quarter (1/quarter) monitoring frequency must be submitted within 10 days after each reporting period. The reporting periods are January-March, April-June, July-September, and October-December. The first quarterly report is due no later than April 10th, 2019.

Reports for parameters with a once per six months (1/6 months) frequency must be submitted within 10 days after each reporting period. The reporting periods are January-June, and July- December. The first 1/6 month report is due July 10th, 2019.

All monitoring reports must indicate the nature and concentration of all pollutants in the effluent for which sampling and analysis were performed during the reporting period preceding the submission of each report, including measured maximum and average daily flows.

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by the U.S. Environmental Protection Agency (EPA) or as specified in this permit, the results of such monitoring must be included in any calculations of actual daily maximum or monthly average pollutant discharge, and results must be reported in the monthly report submitted to the District.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;
2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or

planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATIONS AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any

subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

- (i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

- (ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18 U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.



CITY OF EAST CHICAGO

Anthony Copeland, Mayor

East Chicago Sanitary District
5201 Indianapolis Boulevard
East Chicago, IN 46312
Phone: (219) 391-8466
Fax: (219) 391-8254

September 25, 2018

Chuck Scanlon, President
Central States Marketing Company
405 E. 151st Street
East Chicago, IN 46312

RE: Termination of Industrial Wastewater Permit for Central States - Outfall 421

Dear Mr. Scanlon:

In telephone conversations of July 9 and 25, 2018, as well as your follow-up email of September 7, 2018, Central States Marketing Company requested the East Chicago Sanitary District (District) to consider the appropriateness of the wastewater discharge permit for your facility. Central States operations can be characterized as the manufacture of plastic drinking straws by extruding polypropylene resin. The wastewater discharges from the facility are characterized as 55% contact cooling water (contact with extruded polypropylene) and 45% of storm water (yard drainage, parking lot drainage and roof drainage). Based upon our review of your discharge volume, plant operations, and the historic character of your waste discharge, the District has agreed to terminate your wastewater discharge permit for Outfall 421, effective as of September 1, 2018.

If at any time in the future Central States Marketing plans to discharge any additional wastewater not consistent with the contact cooling water operations presently ongoing to the District, Central States Marketing must first contact the District and fulfill any required steps before approval to discharge the differing wastewater is granted.

Additionally, the District has also decided to dismiss the discharge violation observed on June 6, 2018 wherein the reported available cyanide concentration was reported as 0.004 milligrams per liter (mg/L), slightly exceeding the current local limit of 0.003 mg/L, but well below the proposed revised local limit of 0.019 mg/L cyanide, which has been approved by the Sanitary Board and is pending adoption as a revised ordinance by the City Council.

Please feel free to contact us if you have any questions.

Sincerely,

Kenneth L. Myers
Compliance Manager, ECSD

Cc: Abderrahman Zehraoui, Ph.D., Utilities Director, ECSD
Nickie Geros, Pretreatment Coordinator

Permittee**Name:** Green Lake Tube**Address:** 4500 Euclid Avenue**City, State, ZIP Code:** East Chicago, IN 46312**Permit Information****Permit No:** 511**SIC Code:** 3317**Expiration Date:** August 8, 2021**Permittee Contact****Name:** Paul Pak**Title:** Plant Manager**Phone:** (219) 397-0495**Source Location****Address:** 4500 Euclid Avenue**City, State, ZIP Code:** East Chicago, IN, 46312**Receiving POTW****Name:** East Chicago Sanitary District**Address:** 5201 Indianapolis Blvd.**City, State, ZIP Code:** East Chicago, IN, 46312**NPDES Permit No:** IN0022829**Proposed Action****(Choose One)****New Permit****Permit Renewal****Permit Modification X** incorporating new Local Limits and SUO**Permit Termination****Date Application Received (if applicable):****Permit Writer****Name:** Nickie Geros**Title:** Pretreatment Coordinator**Phone:** (219) 391-8466**Email:** ngeros@eastchicago.com



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 511

Issued to

GREEN LAKE TUBE
4500 Euclid Avenue
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: August 8, 2021

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 511

Issued to

Green Lake Tube

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

GREEN LAKE TUBE
4500 Euclid Avenue
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Non-contact cooling water

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 511.**

Outfall 511 is located at a manhole north of the facility building, just outside the shipping office building.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|---------------------------------------|------------------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|-------------------------|-----------------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 511 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 511 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 511 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 511 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 511 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 511 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 511 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 511 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 511 | ≥1/month | OIA -1677 | grab |
| Fluoride (mg/L) | 511 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 511 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 511 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 511 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 511 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 511 | ≥1/month | 1664 | grab |
| pH (s.u.) | 511 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 511 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 511 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 511 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 511 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 511 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 511 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 511 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 511 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** NATIONAL PROCESSING COMPANY
Address: 4506 West Cline Avenue
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 514
SIC Code: 3316
Expiration Date: August 8, 2021

Permittee Contact **Name:** Scott McDonald
Title: Vice President of Operations
Phone: 219-397-5088

Source Location **Address:** 4506 West Cline Avenue
City, State, ZIP Code: East Chicago, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 514

Issued to

NATIONAL PROCESSING COMPANY
4506 West Cline Avenue
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: August 8, 2021

A handwritten signature in dark ink, appearing to read "Zehraoui", is written over a horizontal line.

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 7, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 514

Issued to

NATIONAL PROCESSING COMPANY

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

National Processing Company
4506 West Cline Avenue
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Rinse water from steel descaling operations, treated through wastewater treatment facility (Iron and Steel Manufacturing Point Source Category Subpart I – Acid Pickling Category 40 CFR part 420.90)
- iii) Boiler blowdown cooling water

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 514**.

The monitoring facility is located outside of the shipping office building, which is the southwest manhole and east of the monitoring manhole for the adjacent facility, outfall 511

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

PROCESS DESCRIPTION

National Processing Corporation operates under the Categorical Pretreatment Standard for Iron and Steel Manufacturing Point Source Category Subpart I – Acid Pickling Category (40 CFR part 420.90).

National Processing Corporation operations include pickling, coating, slitting, and cut to length processing of carbon steel coils. The operations are conducted in two separate buildings identified as Plant ii and Plant III. Plant III contains the pickle plant where the steel coils are unrolled, processed through a hydrochloric acid descaling tank system, coated with rust preventive oil, and recoiled. Plant II contains the steel slitting and cut to length lines. General offices are also located in the Plant II building. Both buildings discharge to outfall 514. National Processing produces approximately 1200 tons of pickled steel annually.

EFFLUENT LIMITATIONS

A. CATEGORICAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following National Categorical Pretreatment Standards as established by Acid Pickling Category (40 CFR part 420.90).

CATEGORICAL LIMITATIONS 40 CFR Part 420.90^[1]

| PARAMETER | DAILY MAXIMUM LIMIT (mg/L) |
|------------------|-----------------------------------|
| Metal Parameters | |
| Lead | 0.000526 lbs/1,000 lbs of product |
| Zinc | 0.000701 lbs/1,000 lbs of product |

This specific list of contaminants shall not relieve the permittee of its responsibility to comply with all other specific pollutants as listed in the Ordinance 13.13.3.02.3. The district requires complete compliance with the Sewer User Ordinance and compliance with all local limitations

B. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |

^[1] For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply.

| | |
|----|-----------|
| pH | 5-10 s.u. |
|----|-----------|

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

C. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

D. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.
2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a

temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).

7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.
13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

E. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

A. SAMPLING PROCEDURES

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

B. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 514 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| Sample Parameter (units) | Measurement Location | Frequency | Method | Sample Type |
|--------------------------|----------------------|-----------|--------|-------------|
|--------------------------|----------------------|-----------|--------|-------------|

| | | | | |
|--|-----|-----------|---------------------------|------------------------------|
| COD (mg/L) | 514 | ≤1/ month | EPA 410.4 | 24-hr composite ¹ |
| TSS (mg/L) | 514 | ≤1/ month | SM 2540 D | 24-hr composite |
| Arsenic (mg/L) ² | 514 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Chromium (mg/L) ² | 514 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Copper (mg/L) ² | 514 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Cyanide, Available (mg/L) ³ | 514 | ≤1/ month | EPA OIA-1677 | grab |
| Lead (mg/L) ² | 514 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Mercury (mg/L) ² | 514 | ≤1 month | EPA 245.1 | 24-hr composite |
| Molybdenum (mg/L) ² | 514 | ≤1/ month | EPA 245.1 | 24-hr composite |
| Nickel (mg/L) ² | 514 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Zinc (mg/L) ² | 514 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) phthalate (mg/L) | 514 | ≤1/ month | EPA 625 | 24-hr composite |
| Oil & Grease (HEM) (mg/L) | 514 | ≤1/ month | EPA 1664B | grab |
| Fluoride (mg/L) | 514 | ≤1/ month | SM 4500-F C | 24-hr composite |
| Phenols (mg/L) | 514 | ≤1/ month | EPA 420.1 | 24-hr composite |
| COD | 514 | ≤1/ month | SM 5220 B | 24-hr composite |
| Ammonia (mg/L) | 514 | ≤1/ month | SM 4500-NH ₃ F | 24-hr composite |
| Phosphorous (mg/L) | 514 | ≤1/ month | SM 4500-P B | 24-hr composite |
| pH (s.u.) | 514 | ≤1/ month | EPA 150.2 | grab |
| Temperature | 514 | ≤1/ month | --- | grab |

C. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the Permittee will monitor outfall 514 at the following frequency for the following parameters:

| Sample Parameter (units) | Measurement Location | Frequency | Method | Sample Type |
|--|----------------------|--------------|---------------------------|------------------------------|
| COD (mg/L) | 514 | ≤1/ 6 months | EPA 410.4 | 24-hr composite ¹ |
| TSS (mg/L) | 514 | ≤1/ 6 months | SM 2540 D | 24-hr composite |
| Arsenic (mg/L) ² | 514 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Chromium (mg/L) ² | 514 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Cobalt (mg/L) ² | 514 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Copper (mg/L) ² | 514 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Cyanide, Available (mg/L) ³ | 514 | ≤1/ 6 months | EPA OIA-1677 | grab |
| Lead (mg/L) ² | 514 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Mercury (mg/L) ² | 514 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Molybdenum (mg/L) ² | 514 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Nickel (mg/L) ² | 514 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Zinc (mg/L) ² | 514 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) phthalate (mg/L) | 514 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Oil & Grease (HEM) (mg/L) | 514 | ≤1/ 6 months | EPA 1664B | grab |
| Fluoride (mg/L) | 514 | ≤1/ 6 months | SM 4500-F C | 24-hr composite |
| Phenols (mg/L) | 514 | ≤1/ 6 months | EPA 420.1 | 24-hr composite |
| COD | 514 | ≤1/ 6 months | SM 5220 B | 24-hr composite |
| Ammonia (mg/L) | 514 | ≤1/ 6 months | SM 4500-NH ₃ F | 24-hr composite |
| Phosphorous (mg/L) | 514 | ≤1/ 6 months | SM 4500-P B | 24-hr composite |

¹ All composite samples shall be time proportional samples

| | | | | |
|-------------|-----|--------------|-----------|------|
| pH (s.u.) | 514 | ≤1/ 6 months | EPA 150.2 | grab |
| Temperature | 514 | ≤1/ 6 months | --- | grab |

For the effective period of the permit, the User will also monitor outfall 514 at the following frequency for the discharge flow volume.

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 514 | ≤1/ month | Continuous |

D. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 514 each month. Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee no less than one time per year. The permittee shall submit to the District by April 10th of each year a report verifying calibration and maintenance of said measuring and recording equipment.

C. SELF-MONITORING REPORTS

All self-monitoring data shall be reported to the District in an agreed upon Electronic Data Deliverable (EDD) format. The permittee is required to submit to the District all data obtained through any self-monitoring of a discharge conducted in accordance with Title 40 CFR part 136. This data must be submitted within thirty (30) days of sampling.

Reports for parameters with a once per month (1/month) monitoring frequency must be submitted within 10 days after each calendar month.

Reports for parameters with a once per quarter (1/quarter) monitoring frequency must be submitted within 10 days after each reporting period. The reporting periods are January-March, April-June,

July-September, and October-December. The first quarterly report is due no later than April 10th, 2019.

Reports for parameters with a once per six months (1/6 months) frequency must be submitted within 10 days after each reporting period. The reporting periods are January-June, and July-December. The first 1/6 month report is due July 10th, 2019.

All monitoring reports must indicate the nature and concentration of all pollutants in the effluent for which sampling and analysis were performed during the reporting period preceding the submission of each report, including measured maximum and average daily flows.

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by the U.S. Environmental Protection Agency (EPA) or as specified in this permit, the results of such monitoring must be included in any calculations of actual daily maximum or monthly average pollutant discharge, and results must be reported in the monthly report submitted to the District.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;
2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATIONS AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any

subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

- (d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18 U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** ICO POLYMERS NORTH AMERICA, INC. (IPNA)
Address: 4404 Euclid Avenue
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 518
SIC Code: 3089 & 3087
Expiration Date: June 6, 2022

Permittee Contact **Name:** Jason Bush
Title: Environmental Health and Safety Manager
Phone: 219-730-6779

Source Location **Address:** 4404 Euclid Avenue
City, State, ZIP Code: East Chicago, IN, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



**EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 518**

Issued to

ICO POLYMERS NORTH AMERICA, INC. (IPNA)
4404 Euclid Avenue
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: June 6, 2022

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 518

Issued to

ICO POLYMERS NORTH AMERICA, INC. (IPNA)

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

ICO POLYMERS NORTH AMERICA, INC. (IPNA)
4404 Euclid Avenue
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Contact cooling water from polyethylene plastic extrusion process

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 518.**

The sampling location is inside the facility at the end of the extrusion process line.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|---------------------------------------|------------------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|-------------------------|-----------------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 518 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 518 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 518 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 518 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 518 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 518 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 518 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 518 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 518 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 518 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 518 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 518 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 518 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 518 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 518 | ≥1/month | 1664 | grab |
| pH (s.u.) | 518 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 518 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 518 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 518 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 518 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 518 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 518 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 518 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 518 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** LAKESHORE RAILCAR & TANKER SERVICES
Address: 1150 EAST 145TH STREET
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 521
SIC Code: 4741 Rail, 7699 Truck
Expiration Date: May 30, 2023

Permittee Contact **Name:** James Kornas
Title: Vice President of Operations
Phone: 219-392-8100

Source Location **Address:** 1150 EAST 145TH STREET
City, State, ZIP Code: East Chicago, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X Incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



**EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 521**

Issued to

**LAKESHORE RAILCAR & TANKER SERVICES
1150 EAST 145TH STREET
East Chicago, IN**

Effective Date: November 15, 2018

Expiration Date: May 30, 2023

**Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019**

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 521

Issued to

LAKESHORE RAILCAR & TANKER SERVICES

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

Lakeshore Railcar & Tanker Services
1150 East 145th Street
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Wash waters from interior cleaning of tank trucks, intermodal tank containers, and rail tank cars used to transport chemical and petroleum cargos (Transportation Equipment Cleaning Point Source Category part 442)

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 521.**

The monitoring facility is located inside of the pretreatment building, which is 1150 East 145th Street, where the effluent is discharged at the end of the treatment system and monitored with a flow meter.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

PROCESS DESCRIPTION

Lakeshore Railcar & Tanker Services operates under the Categorical Pretreatment Standard for “transportation equipment cleaning”. Lakeshore Railcar & Tanker Services clean and de-heel railcars and tankers on-site. De-heeled waste materials are removed from the tankers and railcars and transferred to other containers for transport to licensed off-site disposal/treatment facilities. The empty tankers and railcars are cleaned with high pressure hot water washers, steam, caustic solution, and soap. The generated rinse wastewaters are collected and pumped to equalization tanks on-site. The wastewaters in the equalization tanks are sampled, analyzed, characterized and treated for disposal into the District’s collection sewer. The wastewaters are treated in batches on a weekday operational basis. Average discharge is estimated at 25,000 gallons per day, with a maximum flow rate of 60,000 gallon per day. The expected pollutants are total dissolved solids, chemical oxygen demand, oil and grease, phenols, ammonia, mercury, copper, and total suspended solids. Cyanide has also been detected in the waste stream.

EFFLUENT LIMITATIONS

A. CATEGORICAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following National Categorical Pretreatment Standards as established by 40 CFR Part 437 Subpart D (Multiple Waste Streams) and 40 CFR Part 442 Subpart A (Tank Trucks and Intermodal Tank Containers Transporting Chemical and Petroleum Cargos) and Subpart B (Rail Tank Cars Transporting Chemical and Petroleum Cargos).

CATEGORICAL LIMITATIONS 40 CFR Part 437.42 (b)^[1]

| PARAMETER | DAILY MAXIMUM LIMIT (mg/L) |
|------------------|----------------------------|
| Metal Parameters | |
| Antimony | 0.249 |
| Arsenic | 0.162 |
| Cadmium | 0.474 |
| Chromium | 0.746 |
| Cobalt | 0.192 |
| Copper | 0.500 |
| Lead | 0.350 |
| Mercury | 0.00234 |
| Nickel | 3.95 |
| Silver | 0.120 |
| Tin | 0.409 |
| Titanium | 0.0947 |
| Vanadium | 0.218 |
| Zinc | 2.87 |

^[1] For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply.

| Organic Parameters | |
|------------------------------|--------|
| Bis (2-ethylhexyl)phthalate | 0.215 |
| Carbazole | 0.598 |
| o-Cresol | 1.92 |
| p-Cresol | 0.698 |
| n-Decane | 0.948 |
| Fluoranthene | 0.0537 |
| n-Octadecane | 0.589 |
| Phenanthrene | 0.34 |
| 2,4,6-Trichlorophenol | 0.155 |
| Non-Polar material (SGT-HEM) | 26 |

CATEGORICAL LIMITATIONS 40 CFR Part 442.11 and 15^[2]

| PARAMETER | DAILY MAXIMUM LIMIT (mg/L) |
|------------------------------|----------------------------|
| Metal Parameters | |
| Copper | 0.84 |
| Mercury | 0.0031 |
| Organic Parameters | |
| Non-Polar Material (SGT-HEM) | 26 |
| Oil & Grease (HEM) | 36 |

^[2] For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply.

This specific list of contaminants shall not relieve the permittee of its responsibility to comply with all other specific pollutants as listed in the Ordinance 13.13.3.02.3. The district requires complete compliance with the Sewer User Ordinance and compliance with all local limitations

B. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |

³For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply.

| | |
|------------|-----------|
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

C. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

D. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.
2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.

6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.
13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

E. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

A. SAMPLING PROCEDURES

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

B. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 521 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| Sample Parameter (units) | Measurement Location | Frequency | Method | Sample Type |
|--|----------------------|--------------|---------------------------|------------------------------|
| COD (mg/L) | 521 | ≤1/ month | EPA 410.4 | 24-hr composite ¹ |
| TSS (mg/L) | 521 | ≤1/ month | SM 2540 D | 24-hr composite |
| Antimony (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Arsenic (mg/L) ² | 521 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Cadmium (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Chromium (mg/L) ² | 521 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Cobalt (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Copper (mg/L) ² | 521 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Cyanide, Available (mg/L) ³ | 521 | ≤1/ month | EPA OIA-1677 | grab |
| Lead (mg/L) ² | 521 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Mercury (mg/L) ² | 521 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Molybdenum (mg/L) ² | 521 | ≤1/ month | EPA 245.1 | 24-hr composite |
| Nickel (mg/L) ² | 521 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Silver (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Tin (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Titanium (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Thallium (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Vanadium (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Zinc (mg/L) ² | 521 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) phthalate (mg/L) | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Carbazole | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| o-Cresol | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| p-Cresol | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| n-Decane | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Fluoranthene (mg/L) | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| n-Octadecane | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Phenanthrene | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| 2,4,6-Trichlorophenol | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Non-Polar material (SGT-HEM) | 521 | ≤1/ 6 months | EPA 1664B | grab |
| Oil & Grease (HEM) (mg/L) | 521 | ≤1/ month | EPA 1664B | grab |
| Fluoride (mg/L) | 521 | ≤1/ month | SM 4500-F C | 24-hr composite |
| Phenols (mg/L) | 521 | ≤1/ 6 months | EPA 420.1 | 24-hr composite |
| COD | 521 | ≤1/ month | SM 5220 B | 24-hr composite |
| Ammonia (mg/L) | 521 | ≤1/ month | SM 4500-NH ₃ F | 24-hr composite |
| Phosphorous (mg/L) | 521 | ≤1/ month | SM 4500-P B | 24-hr composite |
| pH (s.u.) | 521 | ≤1/ month | EPA 150.2 | grab |
| Temperature | 521 | ≤1/ month | --- | grab |

C. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the Permittee will monitor outfall 521 at the following frequency for the following parameters:

¹ All composite samples shall be time proportional samples

² All metals will be measure and reported as total recoverable metal

³ Cyanide will be measured and reported as available cyanide

| Sample Parameter (units) | Measurement Location | Frequency | Method | Sample Type |
|--|----------------------|--------------|---------------------------|------------------------------|
| COD (mg/L) | 521 | ≤1/ 6 months | EPA 410.4 | 24-hr composite ³ |
| TSS (mg/L) | 521 | ≤1/ 6 months | SM 2540 D | 24-hr composite |
| Antimony (mg/L) ⁴ | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Arsenic (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Cadmium (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Chromium (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Cobalt (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Copper (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Cyanide, Available (mg/L) ³ | 521 | ≤1/ 6 months | EPA OIA-1677 | grab |
| Lead (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Mercury (mg/L) ² | 521 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Molybdenum (mg/L) ² | 521 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Nickel (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Silver (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Tin (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Titanium (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Thallium (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Vanadium (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Zinc (mg/L) ² | 521 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) phthalate (mg/L) | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Carbazole | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| o-Cresol | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| p-Cresol | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| n-Decane | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Fluoranthene (mg/L) | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| n-Octadecane | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Phenanthrene | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| 2,4,6-Trichlorophenol | 521 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Non-Polar material (SGT-HEM) | 521 | ≤1/ 6 months | EPA 1664B | grab |
| Oil & Grease (HEM) (mg/L) | 521 | ≤1/ 6 months | EPA 1664B | grab |
| Fluoride (mg/L) | 521 | ≤1/ 6 months | SM 4500-F C | 24-hr composite |
| Phenols (mg/L) | 521 | ≤1/ 6 months | EPA 420.1 | 24-hr composite |
| COD | 521 | ≤1/ 6 months | SM 5220 B | 24-hr composite |
| Ammonia (mg/L) | 521 | ≤1/ 6 months | SM 4500-NH ₃ F | 24-hr composite |
| Phosphorous (mg/L) | 521 | ≤1/ 6 months | SM 4500-P B | 24-hr composite |
| pH (s.u.) | 521 | ≤1/ 6 months | EPA 150.2 | grab |
| Temperature | 521 | ≤1/ 6 months | --- | grab |

For the effective period of the permit, the User will also monitor outfall 521 at the following frequency for the discharge flow volume.

³ All composite samples shall be time proportional samples

⁴ All metals will be measure and reported as total recoverable metal

³ Cyanide will be measured and reported as available cyanide

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 521 | ≤1/ month | Continuous |

D. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 521 each month. Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee no less than one time per year. The permittee shall submit to the District by April 10th of each year a report verifying calibration and maintenance of said measuring and recording equipment.

C. SELF-MONITORING REPORTS

All self-monitoring data shall be reported to the District in an agreed upon Electronic Data Deliverable (EDD) format. The permittee is required to submit to the District all data obtained through any self-monitoring of a discharge conducted in accordance with Title 40 CFR part 136. This data must be submitted within thirty (30) days of sampling.

Reports for parameters with a once per month (1/month) monitoring frequency must be submitted within 10 days after each calendar month.

Reports for parameters with a once per quarter (1/quarter) monitoring frequency must be submitted within 10 days after each reporting period. The reporting periods are January-March, April-June, July-September, and October-December. The first quarterly report is due no later than April 10th, 2019.

Reports for parameters with a once per six months (1/6 months) frequency must be submitted within 10 days after each reporting period. The reporting periods are January-June and July-December. The first 1/6 month report is due July 10th, 2019.

All monitoring reports must indicate the nature and concentration of all pollutants in the effluent for which sampling and analysis were performed during the reporting period preceding the submission of each report, including measured maximum and average daily flows.

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by the U.S. Environmental Protection Agency (EPA) or as specified in this permit, the results of such monitoring must be included in any calculations of actual daily maximum or monthly average pollutant discharge, and results must be reported in the monthly report submitted to the District.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;
2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of

recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATIONS AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be

classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18 U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each

offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

| | |
|---|---|
| Permittee | Name: Praxair, Inc. Address: 4400 Kennedy Avenue City, State, ZIP Code: East Chicago, IN 46312 |
| Permit Information | Permit No: 531 SIC Code: 2813 Expiration Date: November 22, 2021 |
| Permittee Contact | Name: Mark Fazio Title: Facility Manager Phone: 219-391-5173 |
| Source Location | Address: 4400 Kennedy Avenue City, State, ZIP Code: East Chicago, IN, 46312 |
| Receiving POTW | Name: East Chicago Sanitary District Address: 5201 Indianapolis Blvd. City, State, ZIP Code: East Chicago, IN, 46312 NPDES Permit No: IN0022829 |
| Proposed Action (Choose One) | New Permit Permit Renewal Permit Modification X incorporating new Local Limits and SUO Permit Termination Date Application Received (if applicable): |
| Permit Writer | Name: Nickie Geros Title: Pretreatment Coordinator Phone: (219) 391-8466 Email: ngeros@eastchicago.com |



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 531

Issued to

PRAXAIR, INC.
4400 Kennedy Avenue
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: November 22, 2021

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 531

Issued to

PRAXAIR, INC.

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

PRAXAIR, INC.
4400 Kennedy Avenue
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Non-contact cooling water
- iii) Softener generate
- iv) Boiler blow down from air separation facility
- v) Truck wash water

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 531.**

The sampling location is inside the fence line west of their facility on 4400 Kennedy Avenue in the grass near the parking lot and east of the main office building. Flow measurements are obtained near the monitoring manhole.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 531 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 531 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 531 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 531 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 531 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 531 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 531 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 531 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 531 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 531 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 531 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 531 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 531 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 531 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 531 | ≥1/month | 1664 | grab |
| pH (s.u.) | 531 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 531 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 531 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 531 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 531 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 531 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 531 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 531 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 531 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** PRAXAIR, INC. - RARE GASES AND HELIUM
Address: 4550 Kennedy Avenue
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 541
SIC Code: 2813
Expiration Date: July 31, 2021

Permittee Contact **Name:** Jeff Sandberg
Title: Associate Director of Operations
Phone: 219-391-5101

Source Location **Address:** 4550 Kennedy Avenue
City, State, ZIP Code: East Chicago, IN, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
Permit Modification X incorporating new Local Limits and SUO
Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



EAST CHICAGO SANTTARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 541

Issued to

PRAXAIR, INC. - RARE GASES AND HELIUM
4550 Kennedy Avenue
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: July 31, 2021

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 541

Issued to

PRAXAIR, INC. - RARE GASES AND HELIUM

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

PRAXAIR, INC. - RARE GASES AND HELIUM
4550 Kennedy Avenue
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Non-contact cooling water for compressors and pumps

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 541.**

The sampling location is in the southeast end of the property off of Kennedy Avenue near the parking lot. The monitoring flow meter is found near the manhole. There is a sign and concrete barrier prohibiting parking on top of the manhole.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter⁽¹⁾</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 541 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 541 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 541 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 541 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 541 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 541 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 541 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 541 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 541 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 541 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 541 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 541 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 541 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 541 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 541 | ≥1/month | 1664 | grab |
| pH (s.u.) | 541 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 541 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 541 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 541 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 541 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 541 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 541 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 541 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 541 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** ARCELOR MITTAL USA, LLC - RESEARCH FACILITY
Address: 3100 East Columbus Drive
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 611
SIC Code: 3312
Expiration Date: January 2, 2022

Permittee Contact **Name:** Valentin Gheberta
Title: Safety Coordinator
Phone: 219-399-6469

Source Location **Address:** 3100 East Columbus Drive
City, State, ZIP Code: East Chicago, IN, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



**EAST CHICAGO SANTARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 611**

Issued to

ARCELOR MITTAL USA, LLC - RESEARCH FACILITY
3100 East Columbus Drive
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: January 2, 2022

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 611

Issued to

ARCELOR MITTAL USA, LLC - RESEARCH FACILITY

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

ARCELOR MITTAL USA, LLC - RESEARCH FACILITY
3100 East Columbus Drive
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Non-contact machine cooling water (for spot welders, air compressors, coke plant jackets, coke strength tester, mold simulator, continuous caster, steam production for corrosion lab)
- iii) Contact cooling water for hot mill and continuous annealing
- iv) Boiler blow down
- v) Cooling tower blow down
- vi) Wastewater from laboratory operations

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 611**.

The sampling location is located in a manhole near the entrance on Cardinal Drive behind Block Junior High School. The flow measurement is obtained inside the building off of Columbus Drive in the Research Building.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|---------------------------------------|------------------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|-------------------------|-----------------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 611 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 611 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 611 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 611 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 611 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 611 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 611 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 611 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 611 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 611 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 611 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 611 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 611 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 611 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 611 | ≥1/month | 1664 | grab |
| pH (s.u.) | 611 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 611 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 611 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 611 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 611 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 611 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 611 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 611 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 611 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** ARCELOR MITTAL USA LLC - INDIANA HARBOR
EAST
Address: 3210 Watling Street
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 804
SIC Code: 3312
Expiration Date: January 2, 2022

Permittee Contact **Name:** Kevin Lurtz
Title: Sr. Environmental Engineer
Phone: 219-399-3189

Source Location **Address:** 3210 Watling Street
City, State, ZIP Code: East Chicago, IN, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



**EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 804**

Issued to

**ARCELOR MITTAL USA LLC - INDIANA HARBOR EAST
3210 Watling Street
East Chicago, IN**

Effective Date: November 15, 2018

Expiration Date: January 2, 2022

**Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019**

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 804

Issued to

ARCELOR MITTAL USA LLC - INDIANA HARBOR EAST

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

ARCELOR MITTAL USA LLC - INDIANA HARBOR EAST
3210 Watling Street
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Once-through cooling water from air

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 804.**

The monitoring facility is located at the Northwest Expansion Plant #2 inside the building of the lift station passed the cooling towers. There is manhole inside the lift station to collect samples. The flow measurement is obtained inside the building of the lift station.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 804 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 804 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 804 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 804 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 804 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 804 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 804 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 804 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 804 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 804 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 804 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 804 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 804 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 804 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 804 | ≥1/month | 1664 | grab |
| pH (s.u.) | 804 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 804 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 804 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 804 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 804 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 804 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 804 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 804 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 804 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** ARCELOR MITTAL USA, LLC- INDIANA HARBOR
LONG CARBON PLANT #4
Address: 3001 Dickey Road
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 805
SIC Code: 3312
Expiration Date: January 2, 2022

Permittee Contact **Name:** Kevin Lurtz
Title: Sr. Environmental Engineer
Phone: 219-399-3189

Source Location **Address:** 3001 Dickey Road
City, State, ZIP Code: East Chicago, IN, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 805

Issued to

ARCELOR MITTAL USA, LLC- INDIANA HARBOR LONG CARBON PLANT #4
3001 Dickey Road
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: January 2, 2022

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 805

Issued to

ARCELOR MITTAL USA, LLC- INDIANA HARBOR LONG CARBON PLANT #4

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

ARCELOR MITTAL USA, LLC- INDIANA HARBOR LONG CARBON PLANT #4
3001 Dickey Road
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Once through cooling water from air

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 805**.

The sampling location is located at Plants 3 and 4 off of Dickey Road inside the lift station building near the parking lot.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter</u> ^[1] | <u>Daily Maximum (mg/L)</u> |
|---------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 805 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 805 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 805 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 805 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 805 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 805 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 805 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 805 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 805 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 805 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 805 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 805 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 805 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 805 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 805 | ≥1/month | 1664 | grab |
| pH (s.u.) | 805 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 805 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 805 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 805 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 805 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 805 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. USER MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 805 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 805 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 805 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** SAFETY-KLEEN SYSTEMS, INC.
Address: 601 Riley Road
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 901
SIC Code: 2992
Expiration Date: August 21, 2023

Permittee Contact **Name:** Jason Shoff
Title: Director, Facility Operations
Phone: 219-391-6121

Source Location **Address:** 601 Riley Road
City, State, ZIP Code: East Chicago, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



EAST CHICAGO SANTARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 901

Issued to

SAFETY-KLEEN SYSTEMS, INC.
601 Riley Road
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: August 21, 2023

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 901

Issued to

SAFETY-KLEEN SYSTEMS, INC.

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

Safety-Kleen Systems, Inc.
601 Riley Road
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Centralized Waste Treatment (CWT) Point Source Category 40 CFR 437.47 – multiple waste streams, process water from re-refinery, emulsion breaking and dehydration processed
- iii) Wash waters from interior cleaning of railroad cars and tanker trucks used to bring oil processed on site
- iv) Non-contact cooling water from process operations
- v) Precipitation collection from process areas and tank farms
- vi) Process water from polychlorinated biphenyl (PSB) contaminated waste from PCB Destruction Facility (only when necessary with proper approval from the District)

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 901.**

The monitoring facility is located at the effluent of the treatment system on the north end of the property where the flow meter is also located.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

PROCESS DESCRIPTION

Safety-Kleen Systems, Inc. operates under the Categorical Pretreatment Standards of 40 CFR 437 Centralized Waste Treatment Point Source Category Subpart D – Multiple Wastestreams. Safety-Kleen System Inc.'s re-refinery operates two basic processes, distillation and hydrotreating. Used oil is distilled in a three-stage distillation system. The first step removes the water and any light hydrocarbons (e.g. gasoline and solvents). These materials are removed as a vapor, then condensed and separated. A fractionation unit separates the water and the light fuel which is used as a supplemental fuel in the process heaters at the site, or is sold as either an on or off- specification used oil fuel. The water generated in the re-refining process contains contaminants which are removed through further distillation prior to treatment in the facility's WWTP. These contaminants include sulfur compounds, ammonia, gasoline, alcohols, solvents and ethylene glycol from anti-freeze.

The pretreatment step occurs in a stripper called the Light Ends Recovery Tower (LERT). The water present in the incoming used oil and any process waters are fed to the LERT at different points depending on their physical and chemical characteristics. The LERT is a fractionation tower with a combination of trays and packing as internal components. The lower section of the LERT is designed to concentrate the higher boiling contaminants including trace amounts of oil and the Ethylene glycol. The Ethylene Glycol rich stream is segregated and sold as a recyclable product. The upper section of the LERT concentrates any low boiling point contaminants including gasolines, solvents, sulfur and nitrogen compounds. This stream is condensed and recovered as a fuel which is utilized in the re-refining process. The stripped water is removed as a side product and directed to the on-site waste water treatment plant. The dehydrated oil is then subjected to a second, more severe distillation step, vacuum fuel stripping (VFS) where the remaining fuel oils are removed using vacuum distillation. The vapor generated during this vacuum distillation stage is condensed to form a fuel similar to home heating fuel. This fuel is either used as fuel at the re-refinery, or sold as an on-specification used oil fuel.

The third distillation step utilizes a vacuum flash tower and two thin film evaporators. In the vacuum tower, the oil is subjected to high temperatures and low pressures, vaporizing the lighter lube oil fraction. This vapor is condensed and collected as lube oil. A set of wiper blades spread the heavier oil against the wall of the vessel, a heat exchanger, to help this material evaporate. A special high temperature heat transfer fluid is used to heat up the exchanger. Two grades of lube oil are produced in this third stage. Any material that does not evaporate in the evaporators is recovered and sold as an asphalt extender material, for use in refining and asphalt paving. After the reaction portion of the hydrotreating is completed the oil is fed into a vacuum fractionation tower. It is in this tower that the purified oil is fractionated into 3 distinct lube oil cuts (based on viscosity).

The wastewaters are treated in batches on a weekday operational basis. Average discharge from the re-refinery process is estimated at 80,000 gallons per day, with a maximum flow rate of 120,000 gallon per day. The average flows from the emulsion breaking and dehydration processes which are performed on a batch basis are 30 and 3,100 gallons per day, respectively.

EFFLUENT LIMITATIONS

A. CATEGORICAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following National Categorical Pretreatment Standards as established by 40 CFR Part 437 Subpart D (Multiple Waste Streams) and 40 CFR Part 442 Subpart B (Rail Tank Cars Transporting Chemical and Petroleum Cargos).

CATEGORICAL LIMITATIONS 40 CFR Part 437.25^[1]

| PARAMETER | DAILY MAXIMUM LIMIT (mg/L) |
|-----------------------------|----------------------------|
| Metal Parameters | |
| Chromium | 0.947 |
| Cobalt | 56.4 |
| Copper | 0.405 |
| Lead | 0.222 |
| Tin | 0.249 |
| Zinc | 6.95 |
| Organic Parameters | |
| Bis (2-ethylhexyl)phthalate | 0.267 |
| Carbazole | 0.392 |
| n-Decane | 5.79 |
| Fluoranthene | 0.787 |
| n-Octadecane | 1.22 |

^[1] For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply.

CATEGORICAL LIMITATIONS 40 CFR Part 442.25^[2]

| PARAMETER | DAILY MAXIMUM LIMIT (mg/L) |
|------------------------------|----------------------------|
| Non-Polar Material (SGT-HEM) | 26 |
| Fluoranthene | 0.076 |
| Phenanthrene | 0.34 |

^[2] For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply.

This specific list of contaminants shall not relieve the permittee of its responsibility to comply with all other specific pollutants as listed in the Ordinance 13.13.3.02.3. The district requires complete compliance with the Sewer User Ordinance and compliance with all local limitations

B. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[3]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |

| | |
|-----------------------------|-----------|
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

[3] For any parameter that is covered by multiple pretreatment or local standards, the most stringent shall apply.

C. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

D. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.
2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.

5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.
13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

E. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

A. SAMPLING PROCEDURES

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

B. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 901 at the following frequency for the following parameters

with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| Sample Parameter (units) | Measurement Location | Frequency | Method | Sample Type |
|--|----------------------|--------------|---------------------------|------------------------------|
| COD (mg/L) | 901 | ≤1/ month | EPA 410.4 | 24-hr composite ¹ |
| TSS (mg/L) | 901 | ≤1/ month | SM 2540 D | 24-hr composite |
| Arsenic (mg/L) ² | 901 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Chromium (mg/L) ² | 901 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Cobalt (mg/L) ² | 901 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Copper (mg/L) ² | 901 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Cyanide, Available (mg/L) ³ | 901 | ≤1/ month | EPA OIA-1677 | grab |
| Lead (mg/L) ² | 901 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Mercury (mg/L) ² | 901 | ≤1 months | EPA 245.1 | 24-hr composite |
| Molybdenum (mg/L) ² | 901 | ≤1/ month | EPA 245.1 | 24-hr composite |
| Nickel (mg/L) ² | 901 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Tin (mg/L) ² | 901 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Zinc (mg/L) ² | 901 | ≤1/ month | EPA 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) phthalate (mg/L) | 901 | ≤1 month | EPA 625 | 24-hr composite |
| Carbazole | 901 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| n-Decane | 901 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Fluoranthene (mg/L) | 901 | ≤1/ month | EPA 625 | 24-hr composite |
| n-Octadecane | 901 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Phenanthrene | 901 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Non-Polar material (SGT-HEM) | 901 | ≤1/ 6 months | EPA 1664B | grab |
| Oil & Grease (HEM) (mg/L) | 901 | ≤1/ month | EPA 1664B | grab |
| Fluoride (mg/L) | 901 | ≤1/ month | SM 4500-F C | 24-hr composite |
| Phenols (mg/L) | 901 | ≤1 month | EPA 420.1 | 24-hr composite |
| COD | 901 | ≤1/ month | SM 5220 B | 24-hr composite |
| Ammonia (mg/L) | 901 | ≤1/ month | SM 4500-NH ₃ F | 24-hr composite |
| Phosphorous (mg/L) | 901 | ≤1/ month | SM 4500-P B | 24-hr composite |
| pH (s.u.) | 901 | ≤1/ month | EPA 150.2 | grab |
| Temperature | 901 | ≤1/ month | --- | grab |

C. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the Permittee will monitor outfall 901 at the following frequency for the following parameters:

| Sample Parameter (units) | Measurement Location | Frequency | Method | Sample Type |
|------------------------------|----------------------|--------------|-----------|------------------------------|
| COD (mg/L) | 901 | ≤1/ 6 months | EPA 410.4 | 24-hr composite ² |
| TSS (mg/L) | 901 | ≤1/ 6 months | SM 2540 D | 24-hr composite |
| Arsenic (mg/L) ² | 901 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Chromium (mg/L) ² | 901 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Cobalt (mg/L) ² | 901 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |

¹ All composite samples shall be time proportional samples

² All composite samples shall be time proportional samples

| | | | | |
|--|-----|--------------|---------------------------|-----------------|
| Copper (mg/L) ² | 901 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Cyanide, Available (mg/L) ³ | 901 | ≤1/ 6 months | EPA OIA-1677 | grab |
| Lead (mg/L) ² | 901 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Mercury (mg/L) ² | 901 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Molybdenum (mg/L) ² | 901 | ≤1/ 6 months | EPA 245.1 | 24-hr composite |
| Nickel (mg/L) ² | 901 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Tin (mg/L) ² | 901 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Zinc (mg/L) ² | 901 | ≤1/ 6 months | EPA 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) phthalate (mg/L) | 901 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Carbazole (mg/L) | 901 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| n-Decane (mg/L) | 901 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Fluoranthene (mg/L) | 901 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| n-Octadecane (mg/L) | 901 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Phenanthrene (mg/L) | 901 | ≤1/ 6 months | EPA 625 | 24-hr composite |
| Non-Polar material (SGT-HEM) (mg/L) | 901 | ≤1/ 6 months | EPA 1664B | grab |
| Oil & Grease (HEM) (mg/L) | 901 | ≤1/ 6 months | EPA 1664B | grab |
| Fluoride (mg/L) | 901 | ≤1/ 6 months | SM 4500-F C | 24-hr composite |
| Phenols (mg/L) | 901 | ≤1/ 6 months | EPA 420.1 | 24-hr composite |
| COD (mg/L) | 901 | ≤1/ 6 months | SM 5220 B | 24-hr composite |
| Ammonia (mg/L) | 901 | ≤1/ 6 months | SM 4500-NH ₃ F | 24-hr composite |
| Phosphorous (mg/L) | 901 | ≤1/ 6 months | SM 4500-P B | 24-hr composite |
| pH (s.u.) | 901 | ≤1/ 6 months | EPA 150.2 | grab |
| Temperature | 901 | ≤1/ 6 months | --- | grab |

For the effective period of the permit, the User will also monitor outfall 901 at the following frequency for the discharge flow volume.

| Sample Parameter (units) | Measurement Location | Frequency | Sample Type |
|--------------------------|----------------------|-----------|-------------|
| Flow | 901 | ≤1/ month | Continuous |

D. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 901 each month. Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee no less than one time per year. The permittee shall submit to the District by April 10th of each year a report verifying calibration and maintenance of said measuring and recording equipment.

C. SELF-MONITORING REPORTS

All self-monitoring data shall be reported to the District in an agreed upon Electronic Data Deliverable (EDD) format. The permittee is required to submit to the District all data obtained through any self-monitoring of a discharge conducted in accordance with Title 40 CFR part 136. This data must be submitted within thirty (30) days of sampling.

Reports for parameters with a once per month (1/month) monitoring frequency must be submitted within 10 days after each calendar month.

Reports for parameters with a once per quarter (1/quarter) monitoring frequency must be submitted within 10 days after each reporting period. The reporting periods are January-March, April-June, July-September, and October-December. The first quarterly report is due no later than April 10th, 2019.

Reports for parameters with a once per six months (1/6 months) frequency must be submitted within 10 days after each reporting period. The reporting periods are January-June, and July- December. The first 1/6 month report is due July 10th, 2019.

All monitoring reports must indicate the nature and concentration of all pollutants in the effluent for which sampling and analysis were performed during the reporting period preceding the submission of each report, including measured maximum and average daily flows.

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by the U.S. Environmental Protection Agency (EPA) or as specified in this permit, the results of such monitoring must be included in any calculations of actual daily maximum or monthly average pollutant discharge, and results must be reported in the monthly report submitted to the District.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the

occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;
2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility. If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;

- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge

as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATIONS AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the

imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18 U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST
Address: 3001 Dickey Road
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 931
SIC Code: 3312
Expiration Date: June 6, 2022

Permittee Contact **Name:** Kevin Lurtz
Title: Sr. Environmental Engineer
Phone: 219-399-3189

Source Location **Address:** 3001 Dickey Road
City, State, ZIP Code: East Chicago, IN, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 931

Issued to

ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST
3001 Dickey Road
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: June 6, 2022

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 931

Issued to

ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST
3001 Dickey Road
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Once through cooling water for air conditioners

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 931**.

The sampling location is in a small building off of Riley Road.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 931 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 931 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 931 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 931 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 931 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 931 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 931 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 931 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 931 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 931 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 931 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 931 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 931 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 931 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 931 | ≥1/month | 1664 | grab |
| pH (s.u.) | 931 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 931 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 931 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 931 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 931 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 931 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. USER MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 931 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 931 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 931 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, not less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST
Address: 3001 Dickey Road
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 934
SIC Code: 3312
Expiration Date: June 6, 2022

Permittee Contact **Name:** Kevin Lurtz
Title: Sr. Environmental Engineer
Phone: 219-399-3189

Source Location **Address:** 3001 Dickey Road
City, State, ZIP Code: East Chicago, IN, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



**EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 934**

Issued to

**ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST
3001 Dickey Road
East Chicago, IN**

Effective Date: November 15, 2018

Expiration Date: June 6, 2022

**Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019**

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 934

Issued to

ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST
3001 Dickey Road
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Once through cooling water for air conditioners

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 934**.

The sampling location is in the lift station building off of Dickey Road.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 934 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 934 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 934 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 934 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 934 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 934 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 934 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 934 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 934 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 934 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 934 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 934 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 934 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 934 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 934 | ≥1/month | 1664 | grab |
| pH (s.u.) | 934 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 934 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 934 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 934 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 934 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 934 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. USER MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 934 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 934 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 934 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST
Address: 3001 Dickey Road
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 935
SIC Code: 3312
Expiration Date: June 6, 2022

Permittee Contact **Name:** Kevin Lurtz
Title: Sr. Environmental Engineer
Phone: 219-399-3189

Source Location **Address:** 3001 Dickey Road
City, State, ZIP Code: East Chicago, IN, 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



**EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 935**

Issued to

**ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST
3001 Dickey Road
East Chicago, IN**

Effective Date: November 15, 2018

Expiration Date: June 6, 2022

**Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019**

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 935

Issued to

ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

ARCELOR MITTAL USA, LLC - INDIANA HARBOR WEST
3001 Dickey Road
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Once through cooling water for air conditioners

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 935.**

The sampling location is located down the stairs in the lift station next to the main office at the Harbor West complex.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 935 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 935 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 935 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 935 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 935 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 935 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 935 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 935 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 935 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 935 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 935 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 935 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 935 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 935 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 935 | ≥1/month | 1664 | grab |
| pH (s.u.) | 935 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 935 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 935 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 935 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 935 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 935 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. USER MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 935 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 935 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 935 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than once per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. Slug Control Modification

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** UNITED STATES STEEL CORPORATION
Address: One North Broadway, MS-70-A
City, State, ZIP Code: Gary, IN 46402

Permit Information **Permit No:** 936
SIC Code: 3312
Expiration Date: November 21, 2021

Permittee Contact **Name:** Brandon Miller
Title: Water Compliance Manager, Midwest ECT
Phone: 219-884-4500

Source Location **Address:** 101 East 129th Street
City, State, ZIP Code: East Chicago, IN 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 936

Issued to

UNITED STATES STEEL CORPORATION
101 East 129th Street
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: June 21, 2020

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 7, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 936

Issued to

UNITED STATES STEEL CORPORATION

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

UNITED STATES STEEL CORPORATION
101 East 129th Street
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Once-through cooling water for air conditioners

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 936**.

The monitoring facility is located in a small building off of Riley Road near their pumps. The flow measurement is recorded from outside the building across from the monitoring facility.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter</u> ^[1] | <u>Daily Maximum (mg/L)</u> |
|--|------------------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|-------------------------|-----------------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 936 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 936 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 936 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 936 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 936 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 936 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 936 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 936 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 936 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 936 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 936 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 936 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 936 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 936 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 936 | ≥1/month | 1664 | grab |
| pH (s.u.) | 936 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 936 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 936 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 936 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 936 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 936 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 936 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 936 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 936 each month.

Reports are due on or before the 10th of each month. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that annual calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than one time per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** PRAXAIR INC. H₂ & CO₂ PLANT
Address: 2251 Dickey Road
City, State, ZIP Code: Whiting, IN 46394

Permit Information **Permit No:** 941
SIC Code: 2819
Expiration Date: June 21, 2020

Permittee Contact **Name:** Andy Campbell
Title: Facility Manager
Phone: 219-378-4854

Source Location **Address:** 2251 Dickey Road
City, State, ZIP Code: Whiting, IN 46394

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
Permit Modification X incorporating new Local Limits and SUO
Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 941

Issued to

PRAXAIR INC. H₂ & CO₂ PLANT
2251 Dickey Road
Whiting, IN

Effective Date: November 15, 2018

Expiration Date: June 21, 2020

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 941

Issued to

PRAXAIR INC. H₂ & CO₂ PLANT

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

PRAXAIR INC. H₂ & CO₂ PLANT
2251 Dickey Road
Whiting, IN 46394

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Hydrogen production cooling tower blow down
- iii) Hydrogen production boiler blow down
- iv) CO₂ production contact cooling water
- v) CO₂ production boiler blow down
- vi) Wastewater associated with maintenance activities

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 941.**

The sampling location is in a small building on the northeast of the property.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 941 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 941 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 941 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 941 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 941 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 941 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 941 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 941 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 941 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 941 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 941 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 941 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 941 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 941 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 941 | ≥1/month | 1664 | grab |
| pH (s.u.) | 941 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 941 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 941 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 941 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 941 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 941 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 941 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 941 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 941 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than one time per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.

Permittee **Name:** UNITED STATES GYPSUM COMPANY
Address: 3501 Canal Street
City, State, ZIP Code: East Chicago, IN 46312

Permit Information **Permit No:** 951
SIC Code: 3275
Expiration Date: November 21, 2021

Permittee Contact **Name:** Kevin Henry
Title: Facility Manager
Phone: 219-392-4646

Source Location **Address:** 3501 Canal Street
City, State, ZIP Code: East Chicago, IN 46312

Receiving POTW **Name:** East Chicago Sanitary District
Address: 5201 Indianapolis Blvd.
City, State, ZIP Code: East Chicago, IN, 46312
NPDES Permit No: IN0022829

Proposed Action **New Permit**
(Choose One) **Permit Renewal**
 Permit Modification X incorporating new Local Limits and SUO
 Permit Termination

Date Application Received (if applicable):

Permit Writer **Name:** Nickie Geros
Title: Pretreatment Coordinator
Phone: (219) 391-8466
Email: ngeros@eastchicago.com



EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 951

Issued to

UNITED STATES GYPSUM COMPANY
3501 Canal Street
East Chicago, IN

Effective Date: November 15, 2018

Expiration Date: November 21, 2021

A handwritten signature in dark ink, appearing to read "Zehraoui", is written over a horizontal line.

Abderrahman Zehraoui, Ph.D.
Director of Utilities
Issued January 4, 2019

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EAST CHICAGO SANITARY DISTRICT
EAST CHICAGO, INDIANA
INDUSTRIAL WASTEWATER DISCHARGE PERMIT
OUTFALL NO. 951

Issued to

UNITED STATES GYPSUM COMPANY

In compliance with Article 13.13.5.01 of the East Chicago Wastewater Ordinance No. 18-0017 (hereinafter "Ordinance"), the East Chicago Sanitary District (hereinafter "District"), by the issuance of this permit, authorizes:

UNITED STATES GYPSUM COMPANY
3501 Canal Street
East Chicago, IN 46312

(hereinafter "permittee") to discharge from the above-identified facility the following, and only the following, specific wastewater streams:

- i) Sanitary wastewater
- ii) Mixer wash-out process wastewater from board mixing operations
- iii) Mixer wash-out process wastewater from joint treatment compound mixing operation

This permit sets forth the standards required of the permittee by the District to ensure compliance with the limitations and conditions of the Ordinance and, where applicable, standards established by the State or Federal authorities.

In compliance with Article 13.13.5.03.4(b) of the Ordinance, the District designates both this permit and the permittee's discharge and sampling location by the **identification number 951.**

The monitoring facility is located off of Canal Street outside the new board production plant. The monitoring flow meter is located near the door inside the board plant across from the monitoring manhole.

By the issuance of this permit, the District acknowledges that the permittee has complied with the application requirements set forth in Article 13.13.5.03.2 of the Ordinance.

By the issuance of this permit, the District acknowledges that the permittee has paid the assessed permit application fee as provided in Article 13.13.4.03 of the Ordinance.

Subject to the following paragraph, and unless otherwise specified, these requirements shall take effect upon issuance of this permit and shall remain in effect until the expiration date of this permit or until the permit is modified in accordance with Article 13.13.5.03.3 of the Ordinance. In accordance with Article 13.13.5.03.6 of the Ordinance, both this permit and the authorization to discharge will expire five (5) years from the date of issuance.

EFFLUENT LIMITATIONS

A. LOCAL LIMITATIONS

The permittee shall at no time discharge wastewater containing pollutants in excess of any of the following specific pollutant limitations (Local Limits) as established by Article 13.13.3.02.3 of the Ordinance:

Specific Pollutant Limitations

| <u>Parameter^[1]</u> | <u>Daily Maximum (mg/L)</u> |
|--------------------------------|-----------------------------|
| Arsenic | 1.31 |
| Chromium | 7.0 |
| Copper | 0.88 |
| Available Cyanide | 0.019 |
| Lead | 2.28 |
| Mercury | 0.0002 |
| Molybdenum | 2.8 |
| Nickel | 0.80 |
| Zinc | 5.5 |
| Fluoride | 30 |
| Phenols | 0.96 |
| Oil & Grease | 117 |
| Bis(2-ethylhexyl) Phthalate | 1.03 |
| Ammonia | 134 |
| Phosphorus | 31 |
| pH | 5-10 s.u. |

Notes:

- 1 For any parameter that is covered by multiple pretreatment standards (i.e. Categorical Standards) the more stringent standard will apply.

B. EXCESS STRENGTH CHARGE LIMITATIONS

The Permittee shall be charged per pound in excess of any of the following excess strength charge limitations in accordance with rates established in Ordinance 15-0023.

Excess Strength Charge Limitations

| <u>Parameter</u> | <u>Daily Maximum</u> |
|------------------------|----------------------|
| Chemical Oxygen Demand | 250 mg/L |
| Total Suspended Solids | 100 mg/L |

C. GENERAL DISCHARGE PROHIBITIONS

Per Article 13.13.3.01.1 of the Ordinance the permittee must not discharge, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

1. Any pollutant which by reason of its nature or quantity is, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any way to the operation of the POTW. This prohibition shall include any wastestream with a closed

cup flashpoint of less than 60 degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21, and any wastestream capable of causing an exceedance of ten (10 percent of the Lower Explosive Limit for flammable/explosive gases at any point within the POTW.

2. Any wastewater having a pH less than 5.0 or higher than 10.0 in any grab sample, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
3. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
4. Trucked or hauled pollutants, except at discharge points designated by the District in accordance with §13.13.3.01.2 of this Chapter.
5. Any substance with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
6. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).
7. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference to the POTW.
8. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or pass through.
9. Any unpolluted water including, but not limited to, non-contact cooling water, unless otherwise authorized by the District.
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulation.
11. Solid or viscous substances in amounts which will or may cause obstruction of the flow in the POTW or to the flow in a sewer resulting in interference with the operation of the POTW.
12. Any noxious or malodorous liquids, gases (including smoke, vapors, and fumes), or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into any part of the POTW for its maintenance and repair.

13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

D. TRUCKED OR HAULED WASTE PROHIBITIONS

Per Article 13.13.3.01.2 the permittee must not discharge into the POTW collection system any wastewater or industrial waste which has been trucked, hauled or otherwise removed from its source prior to discharge, unless formal approval for such discharge has been granted by the District.

MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

A. DISTRICT MONITORING RESPONSIBILITIES

40 CFR 403.12(g)(1) allows the POTW to sample in lieu of the IU. For the effective period of the permit, the District will monitor outfall 951 at the following frequency for the following parameters with the indicated methods, or another approved method found in 40 CFR Part 136 that has an Minimum Detection Limit (MDL) lower than the daily maximum effluent limitation:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Method</u> | <u>Sample Type</u> |
|---|-----------------------------|------------------|-------------------------|--------------------|
| Flow (mgd) | 951 | ≥1/month | Meter | Continuous |
| Ammonia (mg/L) | 951 | ≥1/month | 4500-NH ₃ -F | 24-hr composite |
| Arsenic (mg/L) ^[1] | 951 | ≥1/month | 200.7 | 24-hr composite |
| Bis(2-ethylhexyl) Phthalate (mg/L) | 951 | ≥1/month | 625 | 24-hr composite |
| COD (mg/L) | 951 | ≥1/month | 410.4 | 24-hr composite |
| Chromium (mg/L) ^[1] | 951 | ≥1/month | 200.7 | 24-hr composite |
| Copper (mg/L) ^[1] | 951 | ≥1/month | 200.7 | 24-hr composite |
| Available Cyanide (mg/L) ^[2] | 951 | ≥1/month | OIA-1677 | grab |
| Fluoride (mg/L) | 951 | ≥1/month | 4500-F-C | 24-hr composite |
| Lead (mg/L) ^[1] | 951 | ≥1/month | 200.7 | 24-hr composite |
| Mercury (mg/L) ^[1] | 951 | ≥1/month | 1631 | 24-hr composite |
| Molybdenum (mg/L) ^[1] | 951 | ≥1/month | 200.7 | 24-hr composite |
| Nickel (mg/L) ^[1] | 951 | ≥1/month | 200.7 | 24-hr composite |
| Oil & Grease (mg/L) | 951 | ≥1/month | 1664 | grab |
| pH (s.u.) | 951 | ≥1/month | 150.2 | grab |
| Phenols (mg/L) | 951 | ≥1/month | 420.1 | 24-hr composite |
| Phosphorous (mg/L) | 951 | ≥1/month | 4500-P-B | 24-hr composite |
| Silver (mg/L) ^[1] | 951 | ≥1/month | 200.7 | 24-hr composite |
| TSS (mg/L) | 951 | ≥1/month | 2540 D | 24-hr composite |
| Zinc (mg/L) ^[1] | 951 | ≥1/month | 200.7 | 24-hr composite |

Notes:

¹ All metal analytes will be measured and reported as total recoverable metal, unless specified otherwise

² Cyanide will be measured and reported as available cyanide

B. PERMITTEE MONITORING RESPONSIBILITIES

For the effective period of the permit, the User will monitor outfall 951 at the following frequency for the following parameters:

| <u>Sample Parameter (units)</u> | <u>Measurement Location</u> | <u>Frequency</u> | <u>Sample Type</u> |
|---------------------------------|-----------------------------|------------------|--------------------|
| Flow | 951 | ≥1/month | Continuous |

C. MONITORING FACILITY REQUIREMENTS

Per Article 13.13.5.05(f) of the Ordinance each Discharger must provide and operate at the Discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the District. Each monitoring facility must be situated on the Discharge's premises, except where such a location would be impractical or cause undue hardship on the Discharger. The District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There must be ample room in or near said sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment must be maintained at all times in a safe and proper operating condition at the expense of the Discharger. All monitoring facilities must be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction must be completed within 120 days of receipt of the permit by the discharger.

REPORTING REQUIREMENTS

A. DISCHARGE VOLUME REPORTS

The permittee must report the total monthly flow in gallons from outfall 951 each month.

Reports are due on or before the **10th of each month**. If the due date falls on a Saturday, Sunday or a legal holiday, then the due date is the next business day.

B. CALIBRATION REPORT

Pursuant to Article 13.13.5.05 (f) of the Ordinance, the permittee shall submit to the District written notification that calibration and maintenance have been performed on each flow-measuring device employed by the permittee, no less than one time per year. The permittee shall submit to the District, on or before April 10th, a report verifying calibration and maintenance of said measuring and recording equipment.

NOTIFICATION REQUIREMENTS

A. ACCIDENTAL DISCHARGE/NON-ACCIDENTAL DISCHARGE

Pursuant to Article 13.13.5.04.9 of the Ordinance, in the event of an accidental or a non-accidental discharge of either prohibited substances or an excess of regulated substances to the POTW, the permittee shall alert the District immediately upon occurrence. Within five (5) working days of the occurrence, the permittee shall provide written notification of the discharge. The notification shall specify no less than the following:

1. the location of the discharge;

2. the date and time of the discharge;
3. the type of waste discharged
4. the concentration and volume of the waste; and
5. an explanation of corrective actions taken

B. BYPASS NOTIFICATION

A bypass is an intentional diversion of waste streams from any portion of a User's treatment facility.

If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least ten days before the date of the bypass.

An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Control Authority within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Control Authority may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. OPERATING UPSETS

Pursuant to Article 13.13.5.04.9 of the Ordinance, and in the event of an operating upset, the permittee shall alert the District within 24 hours of recognition of the upset. Within five (5) days of recognition of the upset, the permittee shall submit a written follow-up report. The report shall specify no less than the following:

1. a description of the upset and its cause;
2. the impact of the upset on the permittee's compliance status;
3. the duration of non-compliance, including exact dates and times of noncompliance;
4. if noncompliance continues, the date by which compliance should be attained;
5. an explanation of actions to be taken to prevent recurrence of an upset or other condition of non-compliance.

D. SLUG CONTROL MODIFICATION

40 CFR 403.8(f)(2)(vi) and 40 CFR 403.12(f) require that IUs must immediately notify the POTW of any changes at the facility that change the potential for a slug discharge.

E. 24-HOUR VIOLATION NOTICE

Pursuant to Article 13.13.5.04.11 of the Ordinance, if sampling performed by an IU indicates a violation, the IU must notify the District within twenty four (24) hours of becoming aware of the

violation. The IU shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the IU's facility at least once a month, or if the District performs sampling at the IU between the time when the initial sampling was conducted and the time when the IU or the District receives the results of this sampling. If the District has performed the sampling and analysis in lieu of the IU, the District shall perform the repeat sampling and analysis.

STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The conditions of this permit are severable. Should any one condition be held invalid, all remaining conditions will not be affected and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

East Chicago Sanitary District reserves the right to amend this permit in order to assure compliance by the District with applicable laws and regulations. The Discharger shall be informed of any proposed changes in the permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

5. Permit Revocation

Per Article 13.13.6.02 of the Ordinance, the District may revoke an individual wastewater discharge permit or terminate the discharge of an IU for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the District of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the District of changed conditions pursuant to this Chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the District timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

6. Limitation on Permit Transfer

Per Article 13.13.5.03.7 of the Ordinance, permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to any other location, without the proper written approval of the District.

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (d) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

7. Dilution

Per Article 13.13.3.02.5, the Discharger must not increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of dilution of a discharge as a partial or complete substitute for adequate treatment to achieve compliance with standards set forth in this permit

8. Compliance with Applicable Pretreatment Standards and Requirements

All discharge must comply with all other applicable laws, regulations, standards, and requirements contained in Article 13.13.3.01 of the Ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Wastewater Pretreatment

Pursuant to Article 13.13.5.01, industrial users shall provide necessary wastewater treatment as required to comply with the Ordinance and all applicable pretreatment standards. Any facilities necessary for compliance shall be provided, operated, and maintained at the IU's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Chapter. All new IU's shall install and start up all pollution control equipment necessary to comply with all Applicable Pretreatment Standards and Requirements, and shall achieve compliance immediately upon the commencement of discharge. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to installation of the changes.

The discharger, in order to operate a wastewater or water treatment plant, shall be under the supervision of an operator with the qualifications as established in the Indiana Administrative Code, Title 327-IAC-5-22-7. All industrial pretreatment facilities shall be classified per Title 327-IAC-5-22-5. These classifications shall be based on the type of treatment afforded, design population equivalent, and the average daily flow.

2. Bypass of Treatment Facilities

Pursuant to 40 CFR, 403.17, the Discharger must not cause or allow any bypass to occur, except under the following conditions:

- (a) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The IU submitted notices as required under the Notification Requirements listed in the Article 13.13.6.08 of the Ordinance.

3. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation Recovery Act.

C. MONITORING AND RECORDS

1. Representative Sampling and Measurements

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected, and maintained to ensure accuracy. Monitoring points must not be changed without notification and approval of the District.

2. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by the District, using the procedures prescribed in Title 40 CFR 136, the results of this monitoring must be submitted to the District within thirty (30) days.

3. Inspection and Sampling

Per Article 13.13.5.06 the Ordinance, The IU shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon the premises of the IU at all reasonable hours for the purposes of inspection, sampling, or records examination. The IU shall allow the District to inspect and copy any and all records pertaining to pretreatment. The District shall have the right to set up on the IU's property such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations.

4. Records Retention

Per Article 13.13.8.01 all Dischargers subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the IU independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the IU or the District, or where the IU has been specifically notified of a longer retention period by the District

5. Signatory Requirements

All applications, reports, correspondence, or any information submitted to the District must be signed and dated by an authorized representative of the permittee.

An authorized representative as defined in Article 13.13.2.01 of the Ordinance is:

(a) If the User is a corporation:

(i) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

All applications, reports, or any information submitted to the District must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

6. Falsifying Information

Per Article 13.13.7.03 of the Ordinance any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Chapter or Wastewater Discharge Permit issued under or by the authority of this Chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method of sampling, measurement, or monitoring required under this Chapter commits a violation thereof and shall, upon conviction, be punished by the imposition of a civil penalty of not more than \$7,500.00 for each offense under this section. In addition, such person may be subject to criminal prosecution, punishable as a misdemeanor or felony under the laws of the State of Indiana (I.C. §13-30-10-1.5) and the United States (18

U.S.C. §1621, inter alia). The District may refer any incident of violation of this section to the County Prosecuting Attorney or the United States Attorney for the Northern District of Indiana for possible criminal prosecution.

D. FEES

1. Permit Application

The permittee must pay the permit application fees provided in Article 13.13.4.03 of the Ordinance

User Rates and Charges

The permittee is responsible for paying the rates and charges provided in Ordinance 15-0023.

E. ENFORCEMENT

1. Annual Publication

Per Article 13.13.6.13 of the Ordinance, a list of all industrial users which were, at any time during the previous twelve (12) months, in Significant Non-Compliance pursuant to 40 CFR §403.8(f)(2)(viii), shall be published annually by the District. Said list shall be published in the daily newspaper having the largest circulation with the City of East Chicago.

2. Civil Penalties

Pursuant to Article 122.13.7.01, in the event that an IU is found to have violated an order of the District, has failed to comply with any provision of this Chapter, the regulations or rules of the District, or permits issued hereunder, the District may find that an offense has occurred and impose monetary penalty of not less than \$1,000 nor more than the amount listed for each offense, or if not listed, then an amount not to exceed \$7,500.00 for each offense. Unless otherwise specified, each day a violation continues shall be deemed a separate offense.

3. Recovery of Costs Incurred by the District

Pursuant to Article 13.13.7.02 of the Ordinance, any IU violating any of the provisions of the Ordinance, or who discharges or causes a discharge producing an obstruction, or causes damage to or impairs the District's wastewater disposal system shall be liable to the District for any expense, loss, or damage caused by such violation or discharge. The District may bill the IU for the costs incurred by the District for any cleaning, repair, replacement, or other work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter enforceable under the provisions of Articles 6 and 7 hereof.